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EXAMINER	
HINZE, LEO T	

ART UNIT	PAPER NUMBER
2854	

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/692,531	FREY, PETER R.	
	Examiner	Art Unit	
	Leo T. Hinze	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-13,15 and 21-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-13,15 and 21-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-7, 13, 15 and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams, US 4,028,842 (hereinafter Adams) in view of Smith, US 5,036,501 (hereinafter Smith) and Huffman et al., 6,278,664 (hereinafter Huffman).

a. Regarding claim 1:

Adams teaches a clock kit, comprising: a mounting member (22, 14, 16, Fig. 1) adapted to be fastened to a vertical mounting surface in a position that is spaced a predetermined distance from an intersection of said vertical surface and a horizontal surface; at least one interchangeable main body portion (62, Fig. 1) adapted to extend from said mounting member toward said horizontal surface such that said main body portion gives the appearance of being a central portion of a free-standing clock; and a clock unit (35, Fig. 1) adapted to be supported at a fixed position with respect to said mounting member and said main body member. The housing 12 (Fig. 1) is divided by shelf 34 (Fig. 1) into upper (36, Fig. 1) and lower (38, Fig. 1) chambers. The housing 12 can be made from various materials, including wood and plastic (col. 3, l. 35), and that changes in materials may be made by one skilled in the art (col. 4, ll. 6-12).

Adams does not teach a main body portion adapted to extend downwardly from and beyond said mounting member; wherein said at least one main body portion comprises a substantially flexible material selected from the group consisting of textiles, papers, cardboards, metal fabrics, natural woven materials, and ceramic woven fibers.

Smith teaches a clock assembly (10, Fig. 1) wherein a pedestal assembly (12, Fig. 1) is selectively secured to a clock head (11, Fig. 1) which may be hung on a vertical surface (with element 31, Fig. 3). Smith teaches that this modularity provides: "all the advantages of the prior art clock structures and none of the disadvantages" (col. 1, ll. 46-47); a reduction in cost compared to using a combination of pedestal and hanging clocks (col. 1, ll. 17-20); an easily and efficiently manufactured and marketed clock (col. 2, l. 23); a clock of durable and reliable construction (col. 2, l. 26); and a clock with a low sales price which makes the clock more economically available to the buying public (col. 2, ll. 31-33).

It has generally been held that merely making elements separable is generally not sufficient to patentably distinguish an invention over the prior art. See MPEP § 2144.04 (V)(C).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Adams such that the portion of the housing 12 encompassing the upper chamber 36 is made separate from the portion of housing 12 encompassing the lower chamber 38, thereby effectively splitting the housing 12 into at least two separate housings, because Smith teaches that a clock having separate clock heads and pedestals have the advantages of: "all the advantages of the prior art clock structures and none of the disadvantages" (col. 1, ll. 46-47); a reduction in cost compared to using a combination of pedestal and hanging clocks (col. 1, ll. 17-20); an easily and

efficiently manufactured and marketed clock (col. 2, l. 23); a clock of durable and reliable construction (col. 2, l. 26); and a clock with a low sales price which makes the clock more economically available to the buying public (col. 2, ll. 31-33).

Huffman teaches a timepiece with interchangeable displays (1, Fig. 1) that can be made from wood or cardboard (col. 3, ll. 20-25).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Adams to replace the wood material with cardboard, because Huffman teaches that cardboard and wood are equally suitable for clock housings, and a person having ordinary skill in the art would recognize that using cardboard may decrease manufacturing and shipping costs, thereby raising profits.

b. Regarding claim 3, the combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 1 above. Adams also teaches a base member (20, Fig. 1) adapted to be arranged in a position substantially aligned with said mounting member such that said mounting member, said main body portion, said clock unit and said base member give the appearance of being an integrated, free-standing clock.

c. Regarding claim 4, the combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 1 above. Adams also teaches at least one interchangeable mounting member facade (50, Fig. 1).

d. Regarding claim 5, the combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 1 above. Adams also teaches wherein said clock unit further comprises a driving mechanism, a clock-face substrate, a plurality of clock hands, and means for

supporting said clock unit at said fixed position with respect to said mounting member and said main body portion. Timepiece 35 in Fig. 1 explicitly shows a plurality of hands, a means for supports, and a clock-face substrate. The clock inherently includes a driving mechanism, based on the description of item 35 as a "pocket watch," and the fact that in order to be effectively used as a pocket watch, the watch would include a driving mechanism to move the hands to indicate the current time.

e. Regarding claim 6:

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 4 above.

The combination of Adams, Smith and Huffman does not teach at least one interchangeable clock-face facade adapted to be secured to said clock-face substrate.

Huffman teaches a timepiece with interchangeable displays (32a, Fig. 1). Huffman teaches that interchangeable displays are desirable because they promote versatility and a sense of newness as the timepiece takes on entirely different looks (col. 1, ll. 54-57).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to additionally modify Adams to include at least one interchangeable clock-face facade adapted to be secured to said clock-face substrate, because Huffman teaches that interchangeable displays are desirable because they promote versatility and a sense of newness as the timepiece takes on entirely different looks.

f. Regarding claim 7:

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 4 above.

The combination of Adams, Smith and Huffman does not teach wherein said means for supporting said clock unit at said fixed position with respect to said mounting member and said main body portion comprises a hook member adapted to extend from said mounting member and a corresponding loop member positioned on a rear surface of said clock face substrate.

Huffman teaches that hook and loop fasteners are suitable for quickly and securely attaching the interchangeable faces to the timepiece (col. 3, ll. 40-49).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to additionally modify Adams to include wherein said means for supporting said clock unit at said fixed position with respect to said mounting member and said main body portion comprises a hook member adapted to extend from said mounting member and a corresponding loop member positioned on a rear surface of said clock face substrate, because Huffman teaches that hook and loop fasteners are desirable for quickly and securely attaching two items, and a person having ordinary skill in the art would recognize that hook and loop fasteners would provide a particularly secure connection between the clock substrate and the mounting member.

g. Regarding claim 13, the combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 1 above. Adams also teaches wherein said at least one main body portion comprises a plurality of different main body portions (62, 68, Fig. 1) each having a pattern, color, or design on at least a front surface thereof.

h. Regarding claim 15, the combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 13 above. Adams also teaches wherein at least one of said

plurality of main body portions has a pattern, color, texture or design on a rear surface thereof such that said at least one man body portion is reversible. The main body (62, Fig. 1) is reversible by the user.

i. Regarding claim 22:

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 3 above, including at least two main body (59, 62, Fig. 1) portions each having a distinct, predetermined pattern, color or design at least on a front surface thereof.

The combination of Adams, Smith and Huffman does not teach at least one interchangeable facade adapted to be positioned on said mounting member and at least one interchangeable facade adapted to be positioned on said clock face substrate.

Huffman teaches a timepiece with interchangeable displays (32a, Fig. 1). Huffman teaches that interchangeable displays are desirable because they promote versatility and a sense of newness as the timepiece takes on entirely different looks (col. 1, ll. 54-57).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to additionally modify Adams to include at least one interchangeable clock-face facade adapted to be secured to said clock-face substrate and at least one interchangeable facade adapted to be positioned on said mounting member, because Huffman teaches that interchangeable displays are desirable because they promote versatility and a sense of newness as the timepiece takes on entirely different looks.

j. Regarding claim 23, the combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 1 above. Adams also teaches an interchangeable pendulum

member (46, Fig. 1) adapted to extend from said clock unit to assume a position with respect to a front surface of said main body portion.

k. Regarding claim 24, the combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 22 above. Adams also teaches wherein said accessory kit further comprises an interchangeable pendulum member (46, Fig. 1) adapted to extend from said clock unit to assume a position with respect to said front surface of said main body portion.

l. Regarding claim 25:

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 22 above.

The combination of Adams, Smith and Huffman does not teach wherein said accessory kit further comprises at least one interchangeable facade adapted to be positioned on said base member.

Huffman teaches a timepiece with interchangeable displays (32a, Fig. 1). Huffman teaches that interchangeable displays are desirable because they promote versatility and a sense of newness as the timepiece takes on entirely different looks (col. 1, ll. 54-57).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to additionally modify Adams to include at least one interchangeable facade adapted to be positioned on said base member, because Huffman teaches that interchangeable displays are desirable because they promote versatility and a sense of newness as the timepiece takes on entirely different looks.

m. Regarding claim 26:

Adams teaches a mounting member adapted to be fastened to a vertical mounting surface at a predetermined distance from the floor (22, Fig. 1); an interchangeable main body portion (62, Fig. 1) extending from a first end proximate said mounting member toward an opposed second end proximate the floor and defining a height of said main body portion, such that said main body portion gives the appearance of being a central portion of a free-standing clock; and a clock unit (35, Fig. 1) supported in a fixed position with respect to said mounting member and said main body member. The housing 12 can be made from various materials, including wood and plastic (col. 3, l. 35), and that changes in materials may be made by one skilled in the art (col. 4, ll. 6-12).

Adams does not teach a main body portion adapted to extend downwardly from and beyond said mounting member; wherein said at least one main body portion comprises a substantially flexible material selected from the group consisting of textiles, papers, cardboards, metal fabrics, natural woven materials, and ceramic woven fibers.

Smith teaches a clock assembly (10, Fig. 1) wherein a pedestal assembly (12, Fig. 1) is selectively secured to a clock head (11, Fig. 1) which may be hung on a vertical surface (with element 31, Fig. 3). Smith teaches that this modularity provides: "all the advantages of the prior art clock structures and none of the disadvantages" (col. 1, ll. 46-47); a reduction in cost compared to using a combination of pedestal and hanging clocks (col. 1, ll. 17-20); an easily and efficiently manufactured and marketed clock (col. 2, l. 23); a clock of durable and reliable construction (col. 2, l. 26); and a clock with a low sales price which makes the clock more economically available to the buying public (col. 2, ll. 31-33).

It has generally been held that merely making elements separable is generally not sufficient to patentably distinguish an invention over the prior art. See MPEP § 2144.04 (V)(C).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Adams such that the portion of the housing 12 encompassing the upper chamber 36 is made separate from the portion of housing 12 encompassing the lower chamber 38, thereby effectively splitting the housing 12 into at least two separate housings, because Smith teaches that a clock having separate clock heads and pedestals have the advantages of: "all the advantages of the prior art clock structures and none of the disadvantages" (col. 1, ll. 46-47); a reduction in cost compared to using a combination of pedestal and hanging clocks (col. 1, ll. 17-20); an easily and efficiently manufactured and marketed clock (col. 2, l. 23); a clock of durable and reliable construction (col. 2, l. 26); and a clock with a low sales price which makes the clock more economically available to the buying public (col. 2, ll. 31-33).

Huffman teaches a timepiece with interchangeable displays (1, Fig. 1) that can be made from wood or cardboard (col. 3, ll. 20-25).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Adams to replace the wood material with cardboard, because Huffman teaches that cardboard and wood are equally suitable for clock housings, and a person having ordinary skill in the art would recognize that using cardboard may decrease manufacturing and shipping costs, thereby raising profits.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Smith and Huffman as applied to claim 1, and further in view of Shanok et al., US 3,416,761 (hereinafter Shanok).

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 1 above.

The combination of Adams, Smith and Huffman does not teach wherein said means for supporting said clock unit at said fixed position with respect to said mounting member and said main body portion comprises magnetic means.

Shanok teaches a magnetic mounting device providing an improved clock supporting device (col. 1, ll. 11-12). Such a device is advantageous because it provides support that allows easy disassembly without dismantling (col. 1, ll. 46-49).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include magnetic means, because Shanok teaches that magnetic means are advantageous because it provides support that allows easy disassembly without dismantling.

4. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Smith, Huffman and Shanok as applied to claim 8 above, and further in view of Bamberger, US 1,535,085 (hereinafter Bamberger).

a. Regarding claim 9:

The combination of Adams, Smith, Huffman and Shanok teaches all that is claimed as discussed in the rejection of claim 8 above.

The combination of Adams, Smith, Huffman and Shanok does not teach wherein said magnetic means comprises a metal elongate member adapted to extend from a portion of said mounting member.

Bamberger teaches a metal elongate member (22, Fig. 1) adapted to extend from a portion of a mounting member (wall, Fig. 1) and to hold a timepiece (6, Fig. 1). Such a device is capable of very quick and easy assembly and disassembly (p. 1, ll. 13-14).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include a metal elongate member, because Bamberger teaches that a metal elongate member is capable of very quick and easy assembly and disassembly.

b. Regarding claim 10:

The combination of Adams, Smith, Huffman and Shanok teaches all that is claimed as discussed in the rejection of claim 8 above.

The combination of Adams, Smith, Huffman and Shanok as applied to claim 8 does not teach wherein said magnetic means comprises a metal elongate member adapted to extend from a portion of said mounting member, said elongate member comprising at least one magnet configured on a portion thereof.

Bamberger teaches a metal elongate member (22, Fig. 1) adapted to extend from a portion of a mounting member (wall, Fig. 1) and to hold a timepiece (6, Fig. 1). Such a device is capable of very quick and easy assembly and disassembly (p. 1, ll. 13-14).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include a metal elongate member, because Bamberger teaches that a metal elongate member is capable of very quick and easy assembly and disassembly.

Shanok teaches a magnetic mounting device providing an improved clock supporting device (col. 1, ll. 11-12). Such a device is advantageous because it provides support that allows easy disassembly without dismantling (col. 1, ll. 46-49).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include at least one magnet provided on a portion of a rear surface of said clock-face substrate, because Shanok teaches that magnetic means are advantageous because it provides support that allows easy disassembly without dismantling.

c. Regarding claim 11:

The combination of Adams, Smith, Huffman, Shanok and Bamberger teaches all that is claimed as discussed in the rejection of claim 9 above.

The combination of Adams, Smith, Huffman, Shanok and Bamberger as applied to claim 8 does not teach wherein said magnetic means further comprises at least one magnet provided on a portion of a rear surface of said clock-face substrate.

Shanok teaches a magnetic mounting device providing an improved clock supporting device (col. 1, ll. 11-12). Such a device is advantageous because it provides support that allows easy disassembly without dismantling (col. 1, ll. 46-49).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include at least one magnet provided on a portion of a rear surface of said clock-face substrate, because Shanok teaches that magnetic means are advantageous because it provides support that allows easy disassembly without dismantling.

d. Regarding claim 12:

The combination of Adams, Smith, Huffman, Shanok and Bamberger teaches all that is claimed as discussed in the rejection of claim 10 above.

The combination of Adams, Smith, Huffman, Shanok and Bamberger does not teach wherein said magnetic means further comprises one of a metal member provided on a portion of a rear surface of said clock-face substrate and a corresponding configuration of receiver magnets provided on a portion of said rear surface of said clock-face substrate.

Shanok teaches a magnetic mounting device providing an improved clock supporting device (col. 1, ll. 11-12). Such a device is advantageous because it provides support that allows easy disassembly without dismantling (col. 1, ll. 46-49).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include one of a metal member provided on a portion of a rear surface of said clock-face substrate and a corresponding configuration of receiver magnets provided on a portion of said rear surface of said clock-face substrate, because Shanok teaches that magnetic means are advantageous because it provides support that allows easy disassembly without dismantling.

5. Claims 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Smith and Huffman as applied to claims 5 and 26, and further in view of Prevost, US 1,815,796 (hereinafter Prevost).

a. Regarding claim 21:

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 5 above.

The combination of Adams, Smith and Huffman does not teach wherein a portion of said means for supporting said clock unit passes through an opening provided in said main body portion, such that said clock-face substrate resides on a front surface of said main body portion.

Prevost teaches a desk and wall clock case that simulates the appearance of a grandfather clock (p. 1, ll. 51-55) in which the clock face (3, Fig. 1) resides in front of the front façade of the clock (Fig. 2).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams wherein a portion of said means for supporting said clock unit passes through an opening provided in said main body portion, such that said clock-face substrate resides on a front surface of said main body portion, because Prevost teaches that such an arrangement of components successfully presents the illusion of a grandfather clock.

b. Regarding claim 27:

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 26 above.

The combination of Adams, Smith and Huffman does not teach a base member positioned on a horizontal surface in a position substantially aligned with said second end of said main body portion.

Prevost teaches a base member positioned on a horizontal surface in a position substantially aligned with said second end of said main body portion (See Fig. 2 and details of connection to floor). Prevost teaches the simulation of the appearance of a grandfather clock (p. 1, ll. 51-55).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include a base member positioned on a horizontal surface in a

position substantially aligned with said second end of said main body portion, because Prevost teaches that such an arrangement of components successfully presents the illusion of a grandfather clock.

6. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Smith and Huffman as applied to claim 26, and further in view of Lehmann, US 4,047,822 (hereinafter Lehmann).

The combination of Adams, Smith and Huffman teaches all that is claimed as discussed in the rejection of claim 26 above. Adams also teaches that the various members that make up the mounting member are "adapted to be fixedly secured" (col. 2, ll. 49-50). Adams is silent as to the preferred method of fixedly securing the components.

The combination of Adams, Smith and Huffman does not teach wherein said mounting member further comprises at least one quick-release connection mechanism for securing said main body portion to said mounting member.

Lehmann teaches a fitting for an article of furniture (Fig. 1) that comprises a minimum number of simply and economically manufactured components which permit a rapid interconnection (col. 1, ll. 40-47).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include at least one quick-release connection mechanism for securing said main body portion to said mounting member as taught by Lehmann, because Lehmann teaches that such a connection mechanism provides a minimum number of simply and economically manufactured components which permit a rapid interconnection.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Smith, Huffman and Prevost as applied to claim 27 above, and further in view of Lehmann.

The combination of Adams, Smith. Huffman and Prevost teaches all that is claimed as discussed in the rejection of claim 27 above.

The combination of Adams, Smith. Huffman and Prevost does not teach wherein said base member further comprises at least one quick-release connection mechanism for securing said main body portion to said base member. Adams also teaches that the various members that make up the mounting member are "adapted to be fixedly secured" (col. 2, ll. 49-50). Adams is silent as to the preferred method of fixedly securing the components.

Lehmann teaches a fitting for an article of furniture (Fig. 1) that comprises a minimum number of simply and economically manufactured components which permit a rapid interconnection (col. 1, ll. 40-47).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include at least one quick-release connection mechanism for securing said main body portion to said mounting member as taught by Lehmann, because Lehmann teaches that such a connection mechanism provides a minimum number of simply and economically manufactured components which permit a rapid interconnection.

8. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adams in view of Smith, Huffman, Prevost and Lehmann.

Adams teaches a clock, comprising: a mounting member (22, Fig. 1) adapted to be fastened to a vertical mounting surface at a predetermined distance from the floor; an interchangeable main body

portion (62, Fig. 1) extending from a first end proximate said mounting member toward an opposed second end proximate the floor and defining a height of said main body portion, such that said main body portion gives the appearance of being a central portion of a free-standing clock; a clock unit (35, Fig. 1) supported in a fixed position with respect to said mounting member and said main body member, said clock unit comprising at least a driving mechanism, a clock-face substrate, a plurality of clock hands (timepiece 35 in Fig. 1 explicitly shows a plurality of hands, a means for supports, and a clock-face substrate. The clock inherently includes a driving mechanism, based on the description of item 35 as a "pocket watch," and the fact that in order to be effectively used as a pocket watch, the watch would include a driving mechanism to move the hands to indicate the current time), and means for supporting said clock unit at said fixed position with respect to said mounting member and said main body portion (34, Fig. 1). Adams also teaches that the various members that make up the mounting member are "adapted to be fixedly secured" (col. 2, ll. 49-50). Adams is silent as to the preferred method of fixedly securing the components. The housing 12 can be made from various materials, including wood and plastic (col. 3, l. 35), and that changes in materials may be made by one skilled in the art (col. 4, ll. 6-12).

Adams does not teach: a main body portion extending downwardly from and beyond said mounting member; a first quick-release connection mechanism for securing said first end of said main body portion to said mounting member; a base member positioned on a horizontal surface in a position substantially aligned with said mounting member; and a second quick-release connection mechanism for securing said second end of said main body portion to said base member; and wherein said at least

one main body portion comprises a substantially flexible material selected from the group consisting of textiles, papers, cardboards, metal fabrics, natural woven materials, and ceramic woven fibers.

Smith teaches: a clock assembly (10, Fig. 1) wherein a pedestal assembly (12, Fig. 1) is selectively secured to a clock head (11, Fig. 1) which may be hung on a vertical surface (with element 31, Fig. 3); a quick-release connection mechanism (27, 29, Fig. 4; or 35, 36, 37, Fig. 5) for securing said first end of said main body portion to said mounting member. Smith teaches that this modularity provides: "all the advantages of the prior art clock structures and none of the disadvantages" (col. 1, ll. 46-47); a reduction in cost compared to using a combination of pedestal and hanging clocks (col. 1, ll. 17-20); an easily and efficiently manufactured and marketed clock (col. 2, l. 23); a clock of durable and reliable construction (col. 2, l. 26); and a clock with a low sales price which makes the clock more economically available to the buying public (col. 2, ll. 31-33).

It has generally been held that merely making elements separable is generally not sufficient to patentably distinguish an invention over the prior art. See MPEP § 2144.04 (V)(C).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Adams such that the portion of the housing 12 encompassing the upper chamber 36 is made separate from the portion of housing 12 encompassing the lower chamber 38, thereby effectively splitting the housing 12 into at least two separate housings, and to include the quick release connection mechanism for securing said first end of said main body portion to said mounting member, because Smith teaches that a clock having separate clock heads and pedestals have the advantages of: "all the advantages of the prior art clock structures and none of the disadvantages" (col. 1, ll. 46-47); a reduction in cost compared to using a combination of pedestal and hanging clocks (col. 1, ll. 17-20); an

easily and efficiently manufactured and marketed clock (col. 2, l. 23); a clock of durable and reliable construction (col. 2, l. 26); and a clock with a low sales price which makes the clock more economically available to the buying public (col. 2, ll. 31-33).

Huffman teaches a timepiece with interchangeable displays (1, Fig. 1) that can be made from wood or cardboard (col. 3, ll. 20-25).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Adams to replace the wood material with cardboard, because Huffman teaches that cardboard and wood are equally suitable for clock housings, and a person having ordinary skill in the art would recognize that using cardboard may decrease manufacturing and shipping costs, thereby raising profits.

Prevost teaches a base member positioned on a horizontal surface in a position substantially aligned with said second end of said main body portion (See Fig. 2 and details of connection to floor). Prevost teaches the simulation of the appearance of a grandfather clock (p. 1, ll. 51-55).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify Adams to include a base member positioned on a horizontal surface in a position substantially aligned with said second end of said main body portion, because Prevost teaches that such an arrangement of components successfully presents the illusion of a grandfather clock.

Lehmann teaches a fitting for an article of furniture (Fig. 1) that comprises a minimum number of simply and economically manufactured components which permit a rapid interconnection (col. 1, ll. 40-47).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Adams to include quick-release connection mechanisms as taught by Lehmann for securing said main body portion to said mounting member and for securing said second end of said main body portion to said base member, because Lehmann teaches that such a connection mechanism provides a minimum number of simply and economically manufactured components which permit a rapid interconnection.

Response to Arguments

9. Applicant's arguments, filed 07 March 2006, with respect to the rejection(s) of claim(s) 1, 3-13, 15 and 21-30 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the prior art as applied above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (571) 272-2167. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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